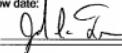


CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: December 3, 2008 Name: John C. Freeman, Esq.

Signature: 

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Raymond I. Myers

Appln. No.: 10/750,789

Filed: January 2, 2004

For: LENTICULAR REFRACTIVE SURGERY OF
PRESBYOPIA, OTHER REFRACTIVE
ERRORS, AND CATARACT RETARDATION

Docket No: 12212/39

Examiner: David M. Shay

Art Unit: 3735

Conf. No.: 1486

TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

Request for Continued Examination (37 C.F.R. §1.114) (in duplicate), Deposit Account No. 23-1925 Charge of \$405.00, Deposit Account No. 23-1925 charge of \$130.00 for the Suspension Processing Fee, Statement of Communication with Examiner.

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$____ for a ____-month extension of time under 37 CFR § 1.136(a).

A petition or processing fee in an amount of \$____ under 37 CFR § 1.17(____).

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	OR	Rate
Total		Minus			x \$26=		x \$52=	
Indep.		Minus			x 110=		x \$220=	
First Presentation of Multiple Dep. Claim					+\$195=		+\$390=	
					Total	\$	Total	\$

Fee payment:

Please charge Deposit Account No. 23-1925 in the amount of \$535.00 which includes the RCE filing fee and Suspension Processing Fee.

Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

December 3, 2008

Date

John C. Freeman, Esq. (Reg. No. 34,483)